

QUIN DENVIR, Bar #49374  
Federal Defender  
VICTOR M. CHAVEZ, Bar #113752  
Assistant Federal Defender  
Designated Counsel for Service  
2300 Tulare Street, Suite 330  
Fresno, California 93721-2226  
Telephone: (559) 487-5561  
  
Attorney for Defendant  
POURIYA MOZAFFARY

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	NO. 1:02-cr-05210 REC
	)	
Plaintiff,	)	<b>EX PARTE</b> REQUEST FOR RETURN OF
	)	PASSPORT; DECLARATION OF VICTOR M.
v.	)	CHAVEZ; ORDER
	)	
POURIYA MOZAFFARY,	)	
	)	
Defendant.	)	Judge: Hon. Robert E. Coyle
	)	
_____	)	

Pouriya Mozaffary was sentenced to 36 months of probation by this court on June 7, 2004. He resides in Novato, California, and is being supervised by U.S. Probation Officer John Storm (Santa Rosa Probation Office, Tel: 707/575-3448). Mr. Mozaffary hereby requests an order directing the Clerk's Office to return his passport. Mr. Mozaffary plans to travel to Sweden on May 28, 2005, to visit his ailing father.

As set forth in the attached Declaration of Counsel, Mr. Mozaffary is in compliance with all conditions of probation, and USPO John Storm has no objection to this request, nor does

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1 AUSA Sheila K. Oberto. Mr. Storm has requested that the Court grant him authority to authorize  
2 Mr. Mozaffary's travel on this and any future occasions that may arise.

3 DATED: May 19, 2005

4 Respectfully submitted,

5 QUIN DENVIR  
6 Federal Defender

7 /s/ Victor M. Chavez  
8 VICTOR M. CHAVEZ  
9 Assistant Federal Defender  
10 Attorney for Defendant  
11 POURIYA MOZAFFARY  
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**DECLARATION OF VICTOR M. CHAVEZ**

I, Victor M. Chavez, declare as follows:

1. In my capacity as an Assistant Federal Defender I represented Pouriya Mozaffary in his case number CR-F-02-5210-REC.

2. This Court placed him on probation for 36 months on June 7, 2004.

3. As one of the conditions of his pretrial release, on February 4, 2004, Mr. Mozaffary surrendered his passport to the Clerk's Office. (Docket Item No. 4) At the termination of his case I did not request return of his passport. I am now doing so and it is a matter of some urgency as he plans to travel to Sweden to see his ailing father and he would like to leave on May 28, 2005.

4. On May 19, 2005, I spoke to USPO John Storm. Mr. Storm is the probation officer supervising Mr. Mozaffary. He stated that he has no objection to Mr. Mozaffary making the trip and that Mr. Mozaffary is in complete compliance with his terms and conditions of probation. In order to avoid duplication of effort, Mr. Storm asked me to request that the Court grant the Probation Officer the authority to authorize travel for Mr. Mozaffary on this and any future occasions that may arise.

5. I also spoke to AUSA Sheila K. Oberto this morning. Ms. Oberto represented the government in this case. I advised her of this request and she is not opposed.

I declare under penalty of perjury that the foregoing is true and correct. This declaration is executed this 19<sup>th</sup> day of May, 2005, at Fresno California.

/s/ Victor M. Chavez  
VICTOR M. CHAVEZ, Declarant

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Telephone: (559) 487-5561  
  
Attorney for Defendant  
POURIYA MOZAFFARY

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

POURIYA MOZAFFARY,

Defendant.

NO. 1:02-cr-05210 REC

ORDER FOR RETURN OF PASSPORT AND  
AUTHORIZING PROBATION OFFICER TO  
APPROVE TRAVEL

Judge: Hon. Robert E. Coyle

**IT IS HEREBY ORDERED** that the Clerk's Office immediately return to Pouriya Mozaffary the passport which was surrendered by him in this case on February 4, 2004 (Docket Item No. 4), as a condition of his pretrial release. The passport is to be provided to defendant's counsel.

**IT IS FURTHER ORDERED** that Mr. Mozaffary's Probation Officer may, in his discretion, authorize the probationer's travel.

**IT IS SO ORDERED.**

DATED: May 20, 2005

/s/ ROBERT E. COYLE  
ROBERT E. COYLE, Senior Judge  
United States District Court  
Eastern District of California

**CERTIFICATE OF SERVICE**

UNITED STATES OF AMERICA, ) NO. 1:02-cr-05210 REC  
Plaintiff, )  
v. )  
POURIYA MOZAFFARY, )  
Defendant. )

The undersigned hereby certifies that he/she is an employee in the Office of the Federal Defender for the Eastern District of California and is a person of such age and discretion as to be competent to serve papers.

On May 19, 2005, in addition and as a supplement to the electronic mail notice generated in the above-referenced matter, he/she personally served a copy of the original of the attached:

**EX PARTE REQUEST FOR RETURN OF PASSPORT;  
DECLARATION OF VICTOR M. CHAVEZ; [PROPOSED] ORDER**

on the interested parties by telefaxing a copy to the persons hereinafter named at the numbers hereinafter stated, and by placing copies in a postpaid envelope addressed to the said person(s), at the place(s) and address(es) stated below, which is/are the last known address(es), and by depositing said envelope and contents in the United States mail at Fresno, California, as follows:

JOHN STORM  
United States Probation Office  
777 Sonoma Avenue, Suite 323  
Santa Rosa, CA 95404-4741  
Fax: 707/575-5138

Dated: May 19, 2005

/s/ Loydene T. Sorensen  
Loydene T. Sorensen

[Original signature of Loydene T. Sorensen  
maintained in file of Victor M. Chavez.]